

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

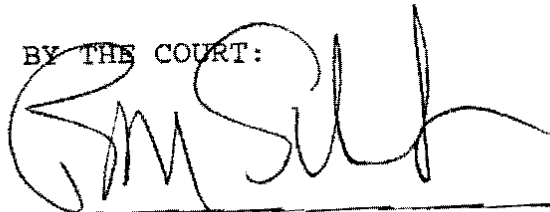
ROBERT SIMMONS,	:	
	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	NO. 10-4934
	:	
SUPERINTENDENT NISH, et al.,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this 3 day of JUNE, 2011, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the Response and Reply thereto, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport, and objections thereto, IT IS HEREBY ORDERED that:

1. Petitioner's Motion to Amend Petition is GRANTED;
1. the Report and Recommendation is APPROVED and ADOPTED;
2. the Petition for Writ of Habeas Corpus is DISMISSED WITH PREJUDICE and without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:



Berle Schiller, J.